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10/528,870	03/24/2005	Christian Bruelle-Drews	11336/926(P02090US)	6224

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INDIANAPOLIS, IN 46204-2033

EXAMINER
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ART UNIT	PAPER NUMBER
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2615

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07/30/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/528,870	<b>Applicant(s)</b> BRUELLE-DREWS, CHRISTIAN	
	<b>Examiner</b> Lun-See Lao	<b>Art Unit</b> 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-25, 27-46 and 49-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Introduction*

1. This action is in response to the amendment filed on 05-08-2007. Claims 1-13, 15-16, 18,20-25, 27-46 and 49 have been amended and claims 17, 26 and 47-48 have been canceled and claims 50-56 have been added. Claims 1-16, 18-25, 27-46 and 49-56 are pending.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 56 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 56 recited "The computer program product of claim 54, further comprising: computer readable storage medium including a pc to audibly reproduce audio signals on the speakers based on the respective balance settings of each of the audio sources for the selected passenger category" was not supported in the original specification nor in any claims originally filed.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 6-8, 10-14, 19- 25, 28, 31-33 and 38-45, 55 are rejected under 35 U.S.C. 102(e) as being anticipated by Yasuhara (US PAT 7,190,789).

Consider claims 1, 24, Yasuhara teaches an audio system (see fig. 9) for use in a vehicle, comprising:

a plurality of audio sources (81 in fig.9) connected to an amplifier (89), the amplifier comprising a respective balance setting for each audio source and configured to provide a respective amplified audio signal to each of a plurality of speakers (10,11), where the audio sources are operable to generate a plurality of audio output signals (10,11) that are supplied to the amplifier (89); and

a control unit (80) connected with the amplifier (89), and configured to adjust the respective amplified signals for each speaker (10,11) based on each of the respective audio sources that generates the audio output signal (see col. 8 line 20-col. 9 line 9), where the control unit (fig.9, (80)) includes a user interface (28,29) for independently setting each respective balance setting of each respective audio source (see col. 4

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line10-58), where the control unit (2) is further configure to adjust the balance settings based upon a user select audio source (see col. 10 line 36-col.11 line 67).

Consider claim 6-8 Yasuhara teaches that the control unit (see fig.9 (80)) includes an audio manager module operable to control the balance setting of the amplifier connected to the speakers based on the respective balance setting for each audio source (see col. 10 line 36-col.11 line 67); and the control unit (see fig.9(80)) includes a means for adjustment operable to allow a user to independently adjust the balance setting of each of the respective the audio sources (see col. 10 line 36-col.11 line 67); and the control unit (see fig. 9 (80)) includes a user interface module operable to receive a user adjustment of the respective balance setting of the user selected audio source for each respective audio source(see col. 10 line 36-col.11 line 67).

Consider claim 10-11 and 31 Yasuhara teaches that the control unit (see fig.9 (80)) is configured to store the respective balance setting for each respective audio source (see col. 10 line 36-col.11 line 67); and the user selected audio source comprises at least one audio source from a group of audio sources including a navigation system, a tuner, a remote terminal, a compact disc player, a digital video disc player, an MP3 player, a radio data service tuner, a television, a satellite radio, an Internet radio, a cassette player, and a text-to-speech system (see col. 10 line 36-col.11 line 67).

Consider claim 21 it is a computer program product claim corresponding to an audio system claim 11. See previous audio system claim 11 rejection.

Consider claim 38 it is a method claim corresponding to an audio system claim 11. See previous audio system claim 11 rejection.

Consider claim 12 Yasuhara teaches that a computer program product for use with an audio system in a vehicle, comprising:

computer readable program code to control a plurality of audio sources, where each respective audio source includes an audio output signal; and computer readable program code to receive a respective audio source balance setting for a plurality of speakers for each respective audio source from a user interface(see fig.9 and see col. 10 line 36-col.11 line 67).

Consider claim 13-14 Yasuhara teaches the computer program product comprising computer readable program code to audibly reproduce the audio output signals on the speakers based upon the respective balance setting of each of the audio sources (see fig.9 and see col. 10 line 36-col.11 line 67); and at least one audio output signal comprises an acoustic driver information message generated from a respective audio source inherently (see fig.9 and see col. 10 line 36-col.11 line 67).

Consider claim 19-20 Yasuhara teaches that speakers comprise a front and rear set of loudspeakers (see fig.8 (10,11)); and the computer readable storage medium including a program code to generate a graphical user interface on a display (see fig.3 (28,29) and see col. 6 line 15-43) to display the respective audio source balance setting for each respective audio source(see fig.9 and see col. 10 line 36-col.11 line 67).

Consider claims 22-23 Yasuhara teaches that computer readable storage medium including a program code for setting to set the balance setting for each audio source based on a respective passenger category (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67); and the passenger category may includes at least one of the group of a

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driver category, a co- driver category, at least one child category, or at least one adult passenger category(see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

Consider claims 25 and 28 Yasuhara teaches that the audio system of the amplifier includes a balance setting circuit and the amplifier is configured to be controlled by the head unit (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67); and the audio system of the head unit includes an audio manager module operable to control the amplifier based upon the audio source balance setting for each respective audio source (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

Consider claim 32 Yasuhara teaches that a method of controlling balance settings for a plurality of audio sources in an audio system for a vehicle, comprises comprising:

generating a plurality of audio output signals (see fig.9 (10,11)) from a plurality of audio sources (81); transmitting the audio output signals from the audio sources to an amplifier (89); receiving selected balance settings for selected audio sources with a head unit (28) connected to the amplifier (89); storing the selected balance settings received from the head unit as the respective audio source balance settings for the selected audio sources; and

reproducing an audio output signal on at least two speakers (10,11) based upon a stored selected balance setting for one of the selected audio sources (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

Consider claim 33 Yasuhara teaches that the head unit (see fig.3) includes a graphical user interface configured to receive a selected balance setting of a selected

audio source from an occupant of the vehicle where each audio source can be associated with a respective audio source balance setting (see col. 6 line 12-43).

Consider claim 39 Yasuhara teaches that an audio system for use in a vehicle comprising:

- a plurality of audio sources (see fig.9 (81)) connected to an amplifier operably coupled to a plurality of speakers (10,11);

- a control unit (80) connected to the amplifier;

- a passenger category selection module (see fig. 3, (29)) located on the control unit (29 in fig.3) and configured to receive a user selected passenger category from a plurality of passenger categories, and each passenger category includes a respective balance setting for each audio source (such as, the rear sit passenger turns on DVD and they don't want to disturb the driver. The back sit passenger turns off the rear and turns the headphone); and

- a user interface module located on the control unit (see fig.3), and configured to adjust a balance setting of the plurality of speakers for the selected passenger category based on a respective audio source that generates an audio output signal and the user selected passenger category (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

Consider claims 40-42 Yasuhara teaches that an audio manager module configured to control the amplifier to audibly reproduce the audio output signal in a predetermined number of speakers based upon the balance setting for each of the audio sources(see fig. 9 and see col. 10 line 36-col. 11 line 67); and the passenger category selection module is operable to generate a balance setting graphical user interface configured to



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receive a balance setting for each respective audio source for each respective passenger category(see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67); and the passenger category maybe selected from a grouper passenger categories include a driver category (such as AM/FM radio), a co-driver category (such as, CD), a backseat passenger category (such as, DVD) and a children category (video game and see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

Claims 44-45 they are essentially similar to claims 40-41 and are rejected for the reason stated above apropos to claims 41-42.

Consider claim 43 Yasuhara teaches that a method of controlling balance settings in an audio system for a vehicle, comprising:

receiving a selected selecting a passenger category selected from a plurality of passenger categories, where the passenger category includes a respective balance setting for each of a plurality of audio sources; receiving an adjustment for the balance setting of at least one audio source for the selected passenger category; and reproducing audio output signals based on the balance setting for each audio source (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

Consider claim 55 Yasuhara teaches that computer readable storage medium including a program code to select a selected passenger category from a plurality of passenger categories (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 9, 27, 35, 46, 49-51 and 53, 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuhara (US PAT 7,190,789).

Consider claim 2 Yasuhara teaches that the balance setting is configured to output an acoustic driver information message receivable from the audio system to a speaker positioned near a driver of the vehicle inherently (see figs. 1-3 and 9 and see col. 10 line 36-col. 11 line 67); but Yasuhara does not teach that the acoustic driver information message is received from a vehicle navigation system.

However, the acoustic driver information message is received from a vehicle navigation system is well known in the art (office notice is taken).

Therefore, it would have been obvious that the entertainment system for a vehicle as taught by Yasuhara could have the acoustic driver information message being received from a vehicle navigation system as claimed so that the system of Yasuhara could provide more convenience to a driver to find the direction.

Consider claim 9 Yasuhara teaches that the user interface module is configured to generate a balance setting graphical user interface on a screen (see fig. 3 1-3 and 7 and see col. 4 line 44-col. 5 line 67); but Yasuhara does not teach a touch screen display that allows a user to adjust the balance setting.

However, Yasuhara does not limit the display to any specific kind. A touch screen display that allows a user to adjust the balance setting is well known in the art (office notice is taken).

Therefore, it would have been obvious that the entertainment system for a vehicle as taught by Yasuhara could have a touch-screen for user to user to adjust the balance setting as claimed so that the system of Yasuhara could provide more convenience to a user to adjust the balance setting by using a finger.

Claim 27 it is essentially similar to claim 9 and is rejected for the reason stated above apropos to claim 9.

Claim 35 it is essentially similar to claim 9 and is rejected for the reason stated above apropos to claim 9.

Claim 51 it is essentially similar to claim 9 and is rejected for the reason stated above apropos to claim 9.

Consider claim 46 Yasuhara teaches that a vehicle system having a graphical user interface including a display and selection device (see fig.3 (2)), a method of providing and selecting from a stored menu on the display and selection device, the method comprising: retrieving a set of menu entries associated with the stored menu, where each of the menu entries represents at least one balance setting associated with each one of a plurality of audio sources for a selected passenger category; displaying at least one of the balance settings associated with each audio source for the selected passenger category on the display and selection device; receiving a menu entry selection signal by indicative of the selection device pointing at a selected menu entry associated with the balance setting from the set of menu entries; and in response to the menu entry selection signal, adjusting the balance setting associated with the audio source as indicated by the menu entry selection signal(see figs 1-3, 7-9 and see col. 10

line 36-col. 11 line 67); but Yasuhara does not teach a graphical user interface devices is in a vehicle navigation system.

However, a graphical user interface devices in a vehicle navigation system is well known in the art (office notice is taken).

Therefore, it would have been obvious that the entertainment system for a vehicle as taught by Yasuhara could have a graphical user interface devices in a vehicle navigation system as claimed so that the system of Yasuhara could provide more convenience to a driver to find the direction and balance the audio system.

Consider claims 49-50 Yasuhara teaches that the reproducing audio output signals on a plurality of speakers (see fig.9 (10,11)) based on the respective balance setting provided for each audio source (see col. 10 line 36-col. 11 line 67); and displaying a plurality of passenger categories; receiving a menu entry selection signal indicative of the selection of one of the displayed passenger categories; setting the selected passenger category to the one of the plurality of passenger categories indicated by the menu entry selection signal (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

Consider claim 53 Yasuhara teaches that the passenger category maybe selected from a grouper passenger categories include a driver category (such as AM/FM radio), a co-driver category (such as, CD), a backseat passenger category (such as, DVD) and a children category (video game and see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

Consider claim 56 Yasuhara teaches that computer readable storage medium including a pc to audibly reproduce audio signals on the speakers based on the

respective balance settings of each of the audio sources for the selected passenger category(see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67).

8. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuhara (US PAT 7,190,789) in view of Fiegura (US PAT. 6,114,774).

Consider claims 3-5 Yasuhara does not explicitly teach that the amplifier is configured to mute audio output signals from other audio sources from the speaker positioned nearest the driver in response to receipt of the acoustic driver information message receivable from the audio system being played on the speaker positioned nearest the driver; and the amplifier is configured to generate audio output signals from other audio sources uninterrupted by the acoustic driver information message receivable from the audio system in at least one speaker not positioned nearest the driver; and the amplifier is configured to mute the acoustic driver information message receivable from the audio system from the audio output signals sent to the speakers not positioned nearest the driver.

However, Fiegura teaches that the amplifier is configured to mute audio output signals from other audio sources from the speaker positioned nearest the driver in response to receipt of the acoustic driver information message receivable from the audio system being played on the speaker positioned nearest the driver(see figs. 1-3 and 5, 7 and col. 3 line 60-col. 4 line 11); and the amplifier is configured to generate audio output signals from other audio sources uninterrupted by the acoustic driver

information message receivable from the audio system in at least one speaker not positioned nearest the driver(see figs. 1-3 and 5, 7 and col. 3 line 60-col. 4 line 11) ; and the amplifier is configured to mute the acoustic driver information message receivable from the audio system from the audio output signals sent to the speakers not positioned nearest the driver(see figs. 1-3 and 5, 7 and col. 3 line 60-col. 4 line 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Fiegra into Yasuhara so that the system of Yasuhara could provide a novel entertainment system for a motor vehicle.

On the other hand, Yasuhara and Fiegra do not teach that the acoustic driver information message is received from a vehicle navigation system.

However, the acoustic driver information message is received from a vehicle navigation system is well known in the art (office notice is taken).

Therefore, it would have been obvious that the entertainment system for a vehicle as taught by Yasuhara and Fiegra could have a vehicle navigation system as claimed so that the system of Yasuhara and Fiegra could provide more convenience to a driver to find the direction.

9. Claims 15-16, 18, 29-30 and 36, 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuhara (US PAT 7,190,789) in view of Becker (US PAT. 6,157,725).

Consider claim 15 Yasuhara does not teach that at least one of the plurality of audio sources comprises a navigation system including a navigation system balance setting.

However Backer teaches that at least one of the plurality of audio sources comprises a navigation system including a balance setting (see fig.1 and see col. 8 line 20-col. 9 line 67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Becker into Yasuhara so that the system of Yasuhara could provide more convenience to a driver to find the direction.

Consider claim 16 Yasuhara teaches that computer readable program code to reduce the audio output signals from audio sources other than the audio system in the speaker nearest the driver in response to reproduction of the acoustic driver information message (see fig. 9 and see col. 10 line 36-col. 11 line 67); but Yasuhara does not teach computer readable program code to generate the acoustic driver information message receivable from a navigation system in a speaker nearest a driver of the vehicle based on the navigation system balance setting.

However, Becker teaches computer readable program code to generate the acoustic driver information message receivable from a navigation system in a speaker nearest a driver of the vehicle based on the navigation system balance setting inherently(see fig.1 and see col. 8 line 20-col. 9 line 67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Becker into Yasuhara so that the system of Yasuhara could provide more convenience to a driver to find the direction.

Claim 18 it is essentially similar to claim 16 and is rejected for the reason stated above apropos to claim 16.

Consider claim 29 Yasuhara teaches that a audio system configured to generate an acoustic driver information message, and the audio source balance setting associated with the audio system is configured to is set the balance setting of the speakers to audibly reproduce the acoustic driver information message only in a respective speaker positioned near a driver of the vehicle, and the amplifier is further configured to reduce the output of other audio sources in the respective speaker positioned nearest the driver of the vehicle in response to generation of the acoustic driver information message (see figs 1-3, 7-9 and see col. 10 line 36-col. 11 line 67); but Yasuhara does not teach the one audio source comprises a navigation system configured to generate an acoustic driver information message, and the audio source balance setting associated with the navigation system.

However, Becker teaches that the one audio source comprises a navigation system configured to generate an acoustic driver information message, and the audio source balance setting associated with the navigation system (see fig.1 and see col. 8 line 20-col. 9 line 67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Becker into Yasuhara so that the system of Yasuhara could provide more convenience to a driver to find the direction.

Consider claim 30 Yasuhara teaches that another audio source continues to audibly reproduce in a predetermined number of other speakers uninterrupted (such as, the driver selects the front speaker and turn off the rear speakers) by the acoustic driver information message (see fig. 9 and see col. 10 line 36-col. 11 line 67).



Consider claim 36 Yasuhara teaches that one of the audio output signals comprises an acoustic driver information message generated by a audio system (see fig. 9 and see col. 10 line 36-col. 11 line 67); but Yasuhara does not teach that the acoustic driver information message is received from a vehicle navigation system.

However, Becker teaches that the acoustic driver information message is received from a vehicle navigation system (see fig.1 and see col. 8 line 20-col. 9 line 67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Becker into Yasuhara so that the system of Yasuhara could provide more convenience for a driver to find the direction.

Consider claim 37 Becker teaches that the an audio source balance setting associated with the navigation system generates the acoustic driver information message on a speaker chosen by the driver(see fig.1 and see col. 8 line 20-col. 9 line 67).

Consider claim 54 Yasuhara teaches that computer readable storage medium including a program code to generate an indication of the acoustic driver information message; computer readable storage medium including a program code to mute audio output signals from audio sources other than the audio system in the speaker nearest the driver of the vehicle based on the indication of the generation of the acoustic driver information message (such as, the driver selects AM/FM and does not select other source and see fig. 9 and see col. 10 line 36-col. 11 line 67); but Yasuhara does not teach that the acoustic driver information message is received from a vehicle navigation system.

However, Becker teaches that the acoustic driver information message is received from a vehicle navigation system (see fig.1 and see col. 8 line 20-col. 9 line 67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Becker into Yasuhara so that the system of Yasuhara could provide more convenience for a driver to find the direction.

10. Claims 34 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuhara (US PAT 7,190,789) in view of Yanz (US 2004/0071304).

Consider claim 34 Yasuhara does not teach the graphical user interface includes a vertical and horizontal scroll bar for adjusting the balance setting.

However, Yanz teaches that the graphical user interface includes a vertical and horizontal scroll bar for adjusting the balance setting (see fig.8 and page [0068]-[0072]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Yanz into Yasuhara so that the system of Yasuhara could provide more convenience for the user.

Consider claim 52 Yasuhara does not teach generating a horizontal scroll bar on the touch screen display; generating a vertical scroll bar on the touch screen display; receiving a location of the respective horizontal and vertical scroll bars on the touch screen displays; adjusting the balance setting of each audio source based on the received location of the horizontal and vertical scroll bars.

However, Yanz teaches that teach generating a horizontal scroll bar on the touch screen display; generating a vertical scroll bar on the screen display; receiving a

location of the respective horizontal and vertical scroll bars on the screen displays;  
adjusting the balance setting of each audio source based on the received location of the horizontal and vertical scroll bars (see fig.8 and page [0068]-[0072]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Yanz into Yasuhara so that the system of Yasuhara could provide more convenience for the user.

On the other hand, Yasuhara and Yanz do not teach a touch screen display that allows a user to adjust the balance setting.

However, Yasuhara and Yanz do not limit the display to any specific kind. A touch screen display that allows a user to adjust the balance setting is well known in the art (office notice is taken).

Therefore, it would have been obvious that the entertainment system for a vehicle as taught by Yasuhara and Yanz could have a touch-screen for user to user to adjust the balance setting as claimed so that the system of Yasuhara could provide more convenience to a user to adjust the balance setting by using a finger.

### ***Response to Arguments***

11. Applicant's arguments with respect to Claims 1-16, 18-25, 27-46 and 49-56 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Koizumi (US PAT.5,745,583) is cited to show other related audio system with balance setting based on information addresses.

14. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:  
**(571) 273-8300**

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Hand-delivered responses should be brought to:


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Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

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